

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In the matter of:

Carol L. Coveney

Case No. 13-10740

Debtor

Adversary No.

Carol L. Coveney

Plaintiff(s)

v.

State of NJ Student Association

Defendant(s)

ALIAS SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days.

Address of Clerk Clerk, U. S. Bankruptcy Court 402 East State Street Trenton, NJ 08608

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney Warren S. Jones, Jr., Esq., Law Office of Warren S. Jones, Jr., LLC 1 Trinity Lane, Mount Holly, New Jersey 08060
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If you make a motion, your time to answer is governed by Bankruptcy Rule 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address State of NJ Student Assn. PO Box 538 Trenton, NJ 08625	Courtroom _____ Date and Time
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IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

 Clerk of the Bankruptcy Court

By: _____

Deputy Clerk




Date _____

MEDIATION OF ALL DISPUTES IS ENCOURAGED AND IS AVAILABLE PURSUANT TO D.N.J. LBR 9019-2. THE PRACTITIONER'S GUIDE TO THE MEDIATION PROCESS IS AVAILABLE IN THE BANKRUPTCY COURT CLERK'S OFFICE, IN EACH COURTROOM, AND ON THE COURT'S WEB SITE: www.njb.uscourts.gov. THE GUIDE CONTAINS AN OVERVIEW OF THE MEDIATION PROCESS, SAMPLE FORMS, THE REGISTER OF MEDIATORS AND APPLICABLE LOCAL RULES.

B104 (FORM 104) (08/07)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)
PLAINTIFFS Carol L. Coveney	DEFENDANTS State of NJ Student Associaton	
ATTORNEYS (Firm Name, Address, and Telephone No.) Law Office of Warren S. Jones, Jr., LLC 1 Trinity Lane, Mount Holly, NJ 08060 609-261-8400	ATTORNEYS (If Known) Warren S. Jones, Jr., Esq.	
PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) <div style="text-align: center;">Discharge of students Loan(s)</div>		
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)		
FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other FRBP 7001(2) – Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(3) – Approval of Sale of Property <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h) FRBP 7001(4) – Objection/Revocation of Discharge <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e) FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(6) – Dischargeability <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <div style="text-align: center;">(continued next column)</div>	FRBP 7001(6) – Dischargeability (continued) <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other FRBP 7001(7) – Injunctive Relief <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <input type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause Other <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)	
<input type="checkbox"/> Check if this case involves a substantive issue of state law <input type="checkbox"/> Check if a jury trial is demanded in complaint	<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23 Demand \$	
Other Relief Sought		

B104 (FORM 104) (08/07), Page 2

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR Carol L. Coveney		BANKRUPTCY CASE NO. 13-10740
DISTRICT IN WHICH CASE IS PENDING New Jersey	DIVISION OFFICE Trenton	NAME OF JUDGE Ferguson
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) 		
DATE 	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Warren S. Jones, Jr. 	

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

WSJ 4154
WARREN S. JONES, JR.
THE LAW OFFICE OF WARREN S. JONES, JR., LLC
THE RED BARN
1 TRINITY LANE
MOUNT HOLLY, NEW JERSEY 08060
(609) 261-8400
ATTORNEY FOR DEBTORS

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEW JERSEY

IN RE:

CHAPTER 7

CAROL L. COVENEY

CASE NO. 13-10740

Debtor

CAROL. L. COVENEY

Plaintiff

vs.

ADV. COMPLAINT #

STATE OF NJ STUDENT ASSOCIATION

Defendant

COMPLAINT TO DETERMINE DISCHARGEABILITY OF STUDENT LOAN DEBT

Plaintiff, CAROL L. COVENEY, residing in the Township of Lawrence, County of Mercer, State of New Jersey, by way of Complaint against the Defendants, says:

FIRST COUNT

1. The Plaintiff, Carol L. Coveney, is a Chapter 7 Debtor who filed a Chapter 7 bankruptcy on or about 1/15/13 under Case No. 13-20740.

2. Listed in Schedule F is the Defendant, STATE OF NJ STUDENT ASSOCIATION for \$62,418.00.

3. The purpose of the complaint is to discharge this student loan as a financial hardship of the Debtor.

4. Carol L. Coveney signed the loan, but she did not use this educational loan for her own personal education.

5. The Debtor has a debilitating, permanent disease which makes her bedridden 24 hours a day, 7 days a week.

6. The only income Ms. Coveney has is from Social Security and Disability which she uses for her personal needs.

9. Based upon the above, there is very little likelihood that she will be able to pay this student loan back.

10. Accordingly, due to the financial hardship which repayment of this loan will cause the Debtor, it is hereby requested that the student loan set forth above be discharged and of no further force and effect.

WHEREFORE, Judgment is demanded discharging these student loans against the Defendants, attorney fees, costs of suit and such other relief as the Court may deem just and appropriate.

Respectfully submitted,

Date:

/s/ Warren S. Jones, Jr.
WARREN S. JONES, JR.
ATTORNEY FOR DEBTOR